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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,043	11/29/2001	Flemming Boegelund	AUS920010680US1	6059

7590
Darcell Walker
8107 Carvel Lane
Houston, TX 77036

11/16/2006

EXAMINER

ALBERTALLI, BRIAN LOUIS

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 11/16/2006

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/998,043
Filing Date: November 29, 2001
Appellant(s): BOEGELUND ET AL.

Darcell Walker
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 30 August 2006 appealing from the Office action mailed 31 March 2006.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

-Chou (U.S. Patent 5,583,761)

-Rosenbaum (U.S. Patent 5,404,435)

-Applicant's Admitted Prior Art (Specification, page 1, lines 19-27)

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-6, 10-23, and 27-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou (U.S. Patent 5,583,761), in view of Applicant's admitted prior art.

In regard to claims 1 and 20, Chou discloses a computer implemented method and instructions for translating text on a slide presentation from a first language to a second language comprising the steps of/instructions for:

creating a text file (Fig. 6, ORISTSRING.LST), the text file having a format that can enable text be translated from one language to a second language using conventional file translation techniques (column 8, lines 10-14 and lines 53-55);

inserting text from an original application presentation into the created text file (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50);

translating the text inserted into the text file from a first language to a second language (column 8, lines 14-16 and column 9, lines 7-10); and

writing the translated text onto the original application presentation, in the location of the original text that was translated, using information contained in the original application presentation (the TARSTRING.LST file contains the position information of the original text for displaying the translated text in the same position, column 9, lines 13-14 and column 10, lines 8-14).

Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

Chou does not disclose that the application is a "presentation program" (such as PowerPoint TM) for presenting "presentation slides".

The Applicant's admitted prior art discloses presentation programs are in wide use and provide a specially designed, user friendly pallet of tools to assist in the creation of presentation slides to be subsequently displayed to an audience, and further allow the slides to be sequentially presented to an audience, point-by-point and slide-by-slide, with color, animation, audio, and transition effects that enrich and enliven the presentation (Specification, page 1, lines 19-27).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a

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"presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 2, Chou discloses said addressing information related to the configuration of the objects contained in the original application presentation is inserted into the created text file, at a location transparent to a user (Fig. 8C, the location coordinates of the original text is inserted in the ORISTSRING.LST file, column 10, lines 3-5).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 3 and 21, Chou discloses, before said file creation step/instructions, the steps of/instructions for:

obtaining the original application presentation for which translation is desired (Fig. 6, Application Screen, column 7, line 65 to column 8, line 1);

obtaining the translation language for the application presentation (the language is designated during the application selection step, column 7, line 65 to column 8, line 1); and

retrieving the text to be translated from the original application presentation (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 4 and 22, Chou discloses said text retrieving step/instructions comprises reading the text from the original application presentation (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 5 and 23, Chou discloses copying text from the original application presentation (text is copied into the ORISTRING.LST file, column 8, lines 4-14, lines 35-38, and lines 48-50).

In regard to claim 6, Chou discloses the addressing information is extracted from the original application presentation (column 9, lines 1-3 and column 10, lines 8-14).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 10 and 27, Chou discloses said translated application presentation writing step/instructions comprises:

creating a copy of an original application presentation (the screen is captured to the SCREEN.CAP file, column 8, lines 7-9, lines 35-38, and line 45);

retrieving the translated text information from the new text file (Fig. 6, poster 65; information in TARSTRING.LST, column 9, lines 36-40 and lines 49-50);

retrieving other presentation information from the original application presentation (original presentation coordinates extracted from the original application presentation are retrieved, column 10, lines 10-14); and

inserting the translated text information and the other application presentation information onto the created copy of the original application presentation such that the inserted information appears in the copy of the application presentation original in the same configuration as in the original application presentation (column 10, lines 10-14).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 11 and 28, Chou discloses said insertion step/instructions comprises inserting and positioning said translated text and other original presentation information in the copy of the original application presentation according to the addressing information for the original application presentation (the position coordinates of the original text are used to position the translated text, column 10, lines 3-14). Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been

obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 12, Chou discloses the addressing information contained in the text file is not translated from the first language to the second language (see Fig. 8C and 8D, position coordinates are not translated).

In regard to claim 13, Chou discloses:

creating a specific identification for the new translated application presentation (translated screens are each captured and stored in separate files, which must necessarily have a specific identification, e.g. a filename, column 4, lines 32-37);

attaching a link from the new translated application presentation to the original application presentation (the original and translated images are associated with the given application, column 4, lines 35-37); and

storing the translated application presentation in a translated slide database for the second language (as files, column 4, lines 32-37). Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 14, Chou discloses before said new text file creation step, the step of examining links of an original application presentation to determine if a translated application presentation for the particular language currently exists and retrieving an existing translated application presentation (when a particular screen display request is received, the image is retrieved from the structured storage area if the correct translated slide exists, column 7, lines 5-14).

As discussed in reference to claims 1 and 20, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

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In regard to claim 15, Chou discloses a computer implemented method for translating text on an application presentation from a first language to a second language comprising the steps of:

creating a copy of an original application presentation (the screen is captured to the SCREEN.CAP file, column 8, lines 7-9, lines 35-38, and line 45);

creating a text file, the text file having a format that can enable text be translated from one language to a second language using conventional file translation techniques (ORISTRING.LST, column 8, lines 10-14 and lines 53-55);

inserting text from the copy of an original application presentation into the created text file (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50);

translating the text inserted into the text file from a first language to a second language (column 8, lines 14-16 and column 9, lines 7-10); and

writing the translated text onto the created copy of the original application presentation, in the location of the original text that was translated, using information contained in the original application presentation (the TARSTRING.LST file contains the position information of the original text for displaying the translated text in the same position, column 9, lines 13-14 and column 10, lines 8-14).

Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application

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with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

Chou does not disclose that the application is a "presentation program" (such as PowerPoint TM) for presenting "presentation slides".

The Applicant's admitted prior art discloses presentation programs are in wide use and provide a specially designed, user friendly pallet of tools to assist in the creation of presentation slides to be subsequently displayed to an audience, and further allow the slides to be sequentially presented to an audience, point-by-point and slide-by-slide, with color, animation, audio, and transition effects that enrich and enliven the presentation (Specification, page 1, lines 19-27).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 16, Chou discloses, before said file creation step, the steps of:
obtaining the original application presentation for which translation is desired
(Fig. 6, Application Screen, column 7, line 65 to column 8, line 1);

obtaining the translation language for the application presentation (the language is designated during the application selection step, column 7, line 65 to column 8, line 1); and

retrieving the text to be translated from the original application presentation (screen capture 61 and string selection 62 extracts text from the application presentation, column 8, lines 4-14, lines 35-38, and lines 48-50).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claim 17, Chou discloses said translated application presentation writing step comprises:

retrieving the translated text information from the new text file (Fig. 6, poster 65, information in TARSTRING.LST, column 9, lines 36-40 and lines 49-50);

inserting the translated text information and the other application presentation information onto the created copy of the original application presentation such that the inserted information appears in the copy of the application presentation original in the same configuration as in the original application presentation (column 10, lines 10-14).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the

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application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 18 and 29, Chou discloses steps/instructions for:

creating a specific identification for the new translated application presentation (translated screens are each captured and stored in separate files, which must necessarily have a specific identification, e.g. a filename, column 4, lines 32-37);

attaching a link from the new translated application presentation to the original application presentation (the original and translated images are associated with the given application, column 4, lines 35-37); and

storing the translated application presentation in a translated slide database for the second language (as files, column 4, lines 32-37). Chou further discloses that this method is applied to any available application program (see Fig. 1 and column 1, lines 64-67). Chou additionally suggests that application programs with text in one language limits the usefulness of the application with users who do not have sufficient skills to understand that language (column 1, lines 31-34).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

In regard to claims 19 and 30, Chou discloses before said new text file creation step/instructions, the step/instructions for examining links of an original application presentation to determine if a translated application presentation for the particular language currently exists and retrieving an existing translated application presentation (when a particular screen display request is received, the image is retrieved from the structured storage area if the correct translated slide exists, column 7, lines 5-14).

As discussed in reference to claim 15, above, while Chou does not disclose the application presentation is a "presentation slide", it would have been obvious to one of ordinary skill in the art at the time of invention to implement the method disclosed by Chou where the application program (Fig. 1) was a "presentation program", where the application presentation was a "presentation slide", in order to provide a presentation in a language most suited to the intended audience.

3. Claims 7-9 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chou, in view of Applicant's admitted prior art, and further in view of Rosenbaum (U.S. Patent 5,404,435).

In regard to claims 7 and 24, while the combination of Chou and Applicant's admitted prior art disclose searching presentation slides for text and exporting the found text object's addressing information, Chou and Applicant's admitted prior art do not disclose the steps of/instructions for:

searching the slide presentation for objects;

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determining whether a found object is a text object; and
exporting the text from the found text.

Rosenbaum disclose a method and instructions (Fig. 3) for extracting text from documents that contain text and non-text objects such as image objects, voice objects, video objects, and animation objects, comprising:

searching the document for objects (step 306, text object archiving routine, locate text object, step 1208, column 15, lines 57-58);

determining whether a found object is a text object (step 1208 locates only text objects, so a decision whether a given object is a text object must necessarily be made, column 15, lines 57-58); and

exporting the text from the found text object (text from the found text object is extracted, column 15, line 64).

It would have been obvious to one of ordinary skill in the art at the time of invention to further modify the combination of Chou and Applicant's admitted prior art to search through the presentation slide for text objects and extract the text, so that relevant text would automatically be extracted from the presentation slide without the need for further user input.

Further with regard to claims 8, 9, 24, and 25, Rosenbaum discloses every text object in the document is found to extract text information from the text object (see step 1232, process repeats until no more text objects are found in the document, column 16, lines 19-20).

Therefore, the method/instructions disclosed by Rosenbaum would necessarily:

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determine whether the found object is a group;
search each sub-object in a determined group for text;
export the text from each sub-object found in the group; and
repeat said searching and exporting steps for each sub-object determined to be
in the determined group;
and would additionally continue to search until the lowest level object on the slide
was detected.

It would have been obvious to one of ordinary skill in the art at the time of
invention to further modify the combination of Chou and Applicant's admitted prior art to
search every single text object in a presentation slide, by searching through subgroups
and continuing until the lowest level object in the slide was detected, so that all of the
textual information in the presentation slide would be translated into the desired
language.

(10) Response to Argument

In response to applicant's argument that the references fail to show certain
features of applicant's invention, it is noted that the features upon which applicant relies
are not recited in the rejected claim(s). Although the claims are interpreted in light of
the specification, limitations from the specification are not read into the claims. See *In
re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In this case, the Applicant makes a number of arguments (beginning on page 5)
that, while they may be correct in contrasting the factual differences between Chou and

the Applicant's invention, are irrelevant because none of the argued features are recited in the claims. Specifically, none of claims 1-6 or 10-23 require that the methods be "batch processes" or indicate any processing of non-text objects (see page 5, lines 11-16).

Similarly, the Applicant's arguments regarding the Run and Learn process of Chou and the batch creation process are not persuasive because they do not distinguish how language in the claims differentiate Chou and the Applicant's invention (see page 5, line 17 to page 6, line 10).

Regarding the admission of Prior Art (page 6), the Applicant asserts that "the general description of tools and techniques exist for designing and creating slides for presentation are prior art with regard to the techniques of the applicant's present invention". However, a review of the rejection reveals that no particular techniques were relied upon as being admitted prior art. Rather, the only element relied upon from the Applicant's disclosure was the admission that presentation programs for presenting presentation slides were known in the art at the time of invention (currently available presentation programs, page 1, lines 19-27 of specification).

Contrary to the Applicant's assertions that the Applicant's present invention is used to translate text from a previously existing slide and is implemented as an automated batch process, Chou discloses a method that performs the same functions as claimed by the Applicant (creating text file, extracting text from a program presentation, inserting text into the text file, translating the text file, and writing the

translated text in the same position in the original application presentation).

Furthermore, the methods disclosed by Chou are designed to work with any application program executable on a graphical operating system (see abstract). The only element that Chou lacks is a specific mention of "presentation programs" (e.g. PowerPoint) as one of the application programs. The Applicant's specification admits that presentation programs were available at the time of invention (such as PowerPoint, see page 2, lines 1-3 of Applicant's specification).

Therefore, if the methods of Chou were implemented for an application, where the application was a presentation program available at the time of invention, the methods would meet the claims. It would have been obvious to one of ordinary skill in the art at the time of invention to utilize the methods disclosed by Chou to translate presentation slides, in order to provide a presentation in a language most suited to the intended audience (i.e. in a language the audience could understand).

Regarding the rejections of claims 7-9 and 24-26, the Applicant essentially argues that Chou and Rosenbaum are non-analogous art because Chou is directed to translation and Rosenbaum is directed to identifying and handling non-text objects, so there is not motivation to combine Chou and Rosenbaum (pages 7-8).

However, there is a connection between Chou and Rosenbaum. Chou is concerned with retrieving text information from an application program so the text can be translated and placed back in the application program at the same location. While Chou do not teach determining whether a found object is a text object, this is a function

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provided by Rosenbaum. One of ordinary skill in the art would look any method that would advantageously retrieve text from a mixed object application, because this would efficiently extract the text from the application for subsequent translation. Therefore, one of ordinary skill in the art at the time of invention would be motivated to combine Chou and Rosenbaum, so that relevant text would automatically be extracted from the presentation slide without the need for further user input.

Furthermore, as to whether Rosenbaum teaches identifying objects having multiple or sub-objects, Rosenbaum teaches identifying each and every text object in a document (see step 1232, process repeats until no more text objects are found in the document, column 16, lines 19-20). Therefore, any "sub-objects" containing text would be found.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

Conclusion

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,


Brian Albertalli



Conferees:


David Hudspeth


Rich Dorvil


DAVID HUDSPETH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800